



101503

17414 U.S. PTO

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Attorney Docket No. 10739.17.78

APPLICATION TRANSMITTAL

22154 U.S. PTO
10/685900

101503

Mail Stop PATENT APPLICATION
 Commissioner for Patents
 PO Box 1450
 Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing under 37 C.F.R. § 1.53(b) is the patent application of

INVENTOR(S): Sean E. Sherrod

FOR: OPERATOR SELECTABLE ENGINE ASSIST BRAKING

Enclosed are:

- ☒ Specification and Abstract - 20 pages.
- ☒ Drawings - 6 sheets (Figs. 1 - 7).
- ☐ Combined Declaration and Power of Attorney.
- ☐ Information Disclosure Statement.
- ☐ Assignment papers.
- ☐ CD-ROM or CD-R in duplicate, and Compact Disc Transmittal.
- ☒ Request and Certification Under 35 U.S.C. 122(b)(2)(B)(i) (nonpublication).
- ☒ Return Receipt Postcard.

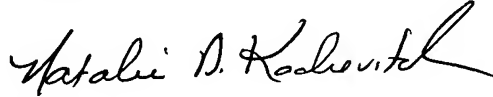
The filing fee has been calculated as shown below:					
	No. Filed	No. Extra	Small Entity Rate	OR	Large Entity Rate
Basic Fee			\$385	OR	\$770
Total Claims	28 - 20	= *8	x 9 = \$	OR	x 18 = \$144
Independent Claims	4 - 3	= *1	x 43 = \$	OR	x 86 = \$86
Presence of Multiple Dependent Claim			+ 145	OR	+ 290
		TOTAL	\$	TOTAL	\$1,000
**If the difference is less than zero, enter "0"					

☐ Applicant(s) is/are entitled to small entity status in accordance with 37 CFR 1.27.

☒ A check in the amount of \$1,000 to cover the filing fee is attached. The Commissioner is hereby authorized to charge payment of any fees under 37 C.F.R. § 1.16 for presentation of extra claims or credit any overpayment to Deposit Account No. 06-1910.

[] This application claims the benefit of U.S. Provisional Application No. _____, filed
_____.

Respectfully submitted,



Natalie D. Kadievitch
Registration No. 34,196

The Commissioner is hereby authorized to grant any extensions of time and to charge any fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required during the entire pendency of this application to Deposit Account No. 06-1910.

CERTIFICATE OF EXPRESS MAIL

“Express Mail” mailing label number: EV 317159151 US. Date of Deposit: October 15, 2003. I hereby certify that this paper is being deposited with the United States Postal Service “Express Mail Post Office to Addressee” service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to the Commissioner for Patents, Mail Stop Patent Application, PO Box 1450, Alexandria, VA 22313-1450.

Stacy Bickel

Name of Person Making Deposit

Stacy Bickel
Signature

#2862128\1

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Attorney Docket No.: 10739.17.78

Sean E. Sherrod

For: OPERATOR SELECTABLE ENGINE ASSIST BRAKING

NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i)

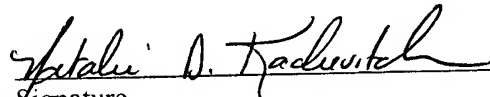
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

October 15, 2003
Date


Signature

Natalie D. Kadievitch
Name

612 492-7314
Telephone Number

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b) the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the application **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**